

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the)	
)	
Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Susie E. Spillers)	
)	
Certificate # 215772)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on May 11, 2004. On March 26, 2004, the State Department of Education (Department) sent Ms. Susie E. Spillers a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educator certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Spillers received the notice, as evidenced by a postal receipt bearing her signature. Ms. Spillers did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Ms. Spillers, the State Board voted to suspend Ms. Spillers's certificate for one year.

FINDINGS OF FACT

Ms. Spillers holds a valid certificate, and has no teaching experience credit. Ms. Spillers was under contract with the Greenville County School District (District) for the 2003-2004 school year, as a fifth grade teacher at Gateway Elementary School. On January 30, 2004, Ms. Spillers submitted a written resignation to her principal. She gave no reasons for her resignation and did not return to the classroom. On March 1, 2004, Superintendent Harner wrote Ms. Spillers that her resignation did not meet District policy, and that he would be recommending that the District Board seek a one-year suspension of her certificate. On March 9, 2004, the District Board voted to file a complaint with the

State Board requesting the suspension of Ms. Spillers's certificate for one year for breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (2004). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Ms. Spillers's certificate # 215772 for a period of one year from January 30, 2004 through January 29, 2005, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if Ms. Spillers wants her certificate reinstated, she may make a written request for reinstatement to the Office of Teacher Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina
May 11, 2004